

REMARKS

In the Office Action, Claims 1-8 were examined and stand rejected. In response, Claims 1-8 are amended, no claims are cancelled, and Claim 9 is added. Applicants respectfully request reconsideration of pending Claims 1-9 in view of at least the following remarks and amendments.

I. Claim Rejections Under 35 U.S.C. §102

Claims 1-6 and 8 are rejected under 35 U.S.C. §102(a) as being anticipated by European Patent No. EP 1199867A1 to Lechner et al. ("Lechner").

Claim 1 recites:

1. An apparatus for automatically detecting the presence of an external device in an earphone jack port of a mobile terminal, the apparatus comprising:
 - connection unit for electrically connecting an earphone/microphone set or an external device to the mobile terminal and generating level information according to a connected device if one of an earphone/microphone set or an external device is connected to the mobile terminal, wherein the level information has different level value according to a connected external device;
 - sensor for determining whether the earphone/microphone set or the external device is electrically connected to the connection unit according to the level information and generating an indication signal containing a determination result;
 - main processor for generating a control signal to control the earphone/microphone set or the external device according to the indication signal; and
 - external device controller for controlling the external device by receiving the control signal from the main processor, wherein the external device controller enables the connected external device automatically, when the external device is connected to the connection unit. (Emphasis added.)

Lechner is generally directed to a mobile terminal for a wireless communication system. As disclosed by Lechner, the mobile terminal detects a connected external headset and an electrical variable, and then selectively one of an internal loudspeaker and an internal microphone or an external headset. In contrast with Claim 1, Lechner does not disclose or suggest generating level information according to a connected device if one of an earphone/microphone set or an external device is connected to the mobile terminal, wherein the level information has different level value according to a connected external device.

Lechner is characterized in that a detecting means only detects an external headset connected to a connection means and operates selectively one of an internal loudspeaker and an internal microphone or an external headset. Lechner does not disclose a connection unit that generates different level information according to a connected device, as in Claim 1. Apposite to Lechner, in Claim 1, the level information has different level value according to a connected external device.

Therefore, the Examiner has failed to identify and Applicants are unable to discern any portion of Lechner, or the references of record that discloses or suggests a connection unit that generates different level information according to a connected device, an external device controller enables the connected external device automatically basis on the level information generated from connection unit, when the external device is connected to the connection unit, as in Claim 1. For each of the above reasons, Claim 1, and all claims which depend from Claim 1, are patentable over Lechner, as well as the references of record. Therefore, please reconsider and withdraw the §102(a) rejection of Claim 1.

Each of the Applicants other independent claims, and each claim which depend from those claims are patentable over the cited art for similar reasons. Therefore, please reconsider and withdraw the §102(b) rejection of Claims 2-6 and 8.

II. Claims Rejected Under 35 U.S.C. §103

Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lechner. Applicants respectfully traverse this rejection.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

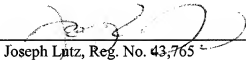
In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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

Dated: 3/31/08

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

  3/31/08
Elaine Kwak Date